



#3

Attorney Docket No: ICRU002/01005

PATENT

## DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## SYSTEM AND METHOD FOR DELIVERING DYNAMIC CONTENT

the specification of which:

(check one)

☐ is attached hereto;

☒ was filed as United States Application Serial No. 09/997,237 on November 30, 2001;

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information which is known to me to be material to the patentability of said invention in accordance with 37 C.F.R. §1.56;

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date) (day, month, year)

\_\_\_\_\_  
(Application Number)


\_\_\_\_\_  
(Filing Date) (day, month, year)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Attorney Docket No. ICRU002/01US

Application No.: 09/997,237

Page 2

**Full name of first inventor:** Erik Richard SMITHInventor's signature 

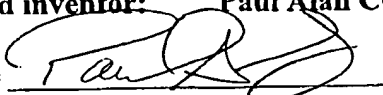
Date

1/9/02

Residence: Arlington, Virginia

Citizen of: United States

Post Office Address: 1320 N. Veitch Street, Apt. #1921, Arlington, Virginia 22201

**Full name of second inventor:** Paul Alan CONLEYInventor's signature 

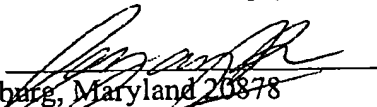
Date

1/8/02

Residence: Centreville, Virginia

Citizen of: United States

Post Office Address: 15418 Snow Hill Lane, Centreville, Virginia 20120

**Full name of third inventor:** Vijayakumar PERINCHERRYInventor's signature 

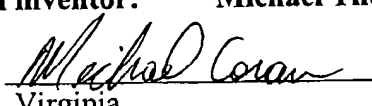
Date

1/8/02

Residence: Gaithersburg, Maryland 20878

Citizen of: India

Post Office Address: 215 Sportsman Way, Gaithersburg, Maryland 20878

**Full name of fourth inventor:** Michael Thomas CORAMInventor's signature 

Date

1/9/2002

Residence: Ashburn, Virginia

Citizen of: United States

Post Office Address: 20876 Isherwood Terrace, Apt. #200, Ashburn, Virginia 20147-7788

#3

Attorney Docket No: ICRU002/01US

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

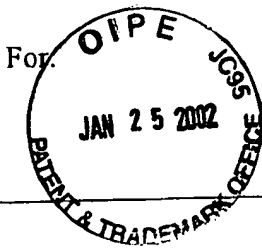
In re application of: Erik Richard SMITH

Serial No.: 09/997,237

Examiner: Not Yet Assigned

Filed: November 30, 2001

Art Unit: Not Yet Assigned



SYSTEM AND METHOD FOR DELIVERING DYNAMIC CONTENT

Commissioner for Patents  
Washington, D.C. 20231POWER TO PROSECUTE BY ASSIGNEE  
AND STATEMENT UNDER 37 C.F.R. §3.73(b)

As the assignee of record of the entire right, title, and interest in the above-identified application, the registered practitioners of Cooley Godward LLP included in the Customer Number provided below are hereby granted Power to prosecute this application and any applications claiming priority to this application, and to transact all business in the U.S. Patent and Trademark Office connected therewith.

The assignee certifies that to the best of its knowledge and belief it is the owner of the entire right, title, and interest in and to the above-identified application as evidenced by:

- ☒ [ X ] An assignment document, a copy of which is enclosed herewith;
- ☐ [ ] An assignment previously recorded in the U.S. Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_.

Attorney Docket No. ICRU002/01US

Application No.: 09/997,237

Page 2

Please direct all telephone calls and correspondence to:

COOLEY GODWARD LLP  
Attention: Patent Group  
One Freedom Square - Reston Town Center  
11951 Freedom Drive  
Reston, Virginia 20190-5601  
Tel: (703) 456-8000  
Fax: (703) 456-8100

CUSTOMER NUMBER: **022903**

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

Date:

1/7/02

Signature:

Name: Paul Alan CONLEY

Title: Chief Executive Officer

Company: InfoCruiser

#3

Attorney Docket No. ICRU002/01US

PATENT

Applicant or Patentee: Erik Richard SMITH et al.

Serial No.: 09/997,237

Patent No.:

Filed: November 30, 2001 Issued:

For: SYSTEM AND METHOD FOR DELIVERING DYNAMIC CONTENT

**ASSERTION OF ENTITLEMENT TO SMALL ENTITY STATUS UNDER  
37 C.F.R. §1.27 - SMALL BUSINESS CONCERN**

I hereby declare that I am:

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Small Business Concern: InfoCruiser  
Address of Small Business Concern: 4121 Wilson Boulevard  
Suite 650  
Arlington, Virginia 22203

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. §121 for purposes of paying reduced fees under 35 U.S.C. §§41(a) and (b), in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both;

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled SYSTEM AND METHOD FOR DELIVERING DYNAMIC CONTENT

and described in:

- ☐ the specification filed herewith;  
☒ the application identified above; or  
☐ the patent identified above;

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 C.F.R. §1.27(a)(1) or by any concern which would not qualify as a small business concern under 37 C.F.R. §1.27(a)(2) and 13 C.F.R. §121 or a nonprofit organization under 37 C.F.R. §1.27(a)(3):

Attorney Docket No. ICRU002/01US

Application No.: 09/997,237

Page 2

\*NOTE: Please obtain separate Assertions of Entitlement to Small Entity Status from each named person, concern or organization having rights to the invention averring to their status as small entities.



Name:

Address:

☐ Individual    ☐ Small Business Concern    ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. §1.27(g))

Signature

A handwritten signature in black ink, appearing to read "Paul Alan Conley", written over a horizontal line.

Date

1/7/02

Name of Person Signing

Paul Alan CONLEY

Title of person other than owner

Chief Executive Officer

Address of person signing

4121 Wilson Boulevard  
Suite 650  
Arlington, Virginia 22203

2151

Attorney Docket No: ICRU002/01US

PATENT

ASSIGNMENT  
(Joint)

Erik Richard SMITH, residing at 1320 N. Veitch Street, Apt. #1921, Arlington, Virginia 22204; Paul Alan CONLEY, 15418 Snow Hill Lane, Centreville, Virginia 20120; Vijayakumar PERINCHERRY, residing at 215 Sportsman Way, Gaithersburg, Maryland 20878; and Michael Thomas CORAM, residing at 20876 Isherwood Terrace, Apt. 200, Ashburn, Virginia 20147-7788 (hereinafter referred to as "Assignor") has made an invention(s) relating to certain new and useful improvements in:

SYSTEM AND METHOD FOR DELIVERING DYNAMIC CONTENT

set forth in an application for Letters Patent of the United States, which is a

(1) ☐ provisional application

(a) ☐ to be filed herewith; or

(b) ☐ bearing Application No. , and filed on ; or

(2) ☒ non-provisional application

(a) ☐ having an oath or declaration executed on prior to filing of application; or

(b) ☒ bearing Application No. 09/997,237, and filed on November 30, 2001; and

WHEREAS, InfoCruiser, a corporation duly organized under and pursuant to the laws of the state of California, and having its principal place of business at 4121 Wilson Boulevard, Suite 650, Arlington, Virginia 22203 (hereinafter referred to as "the Assignee"), is desirous of acquiring the entire right, title, and interest in and to said invention(s), the right to file applications on said invention(s) and the entire right, title and interest in and to any applications, including provisional applications for Letters Patent of the United States or other countries claiming priority to said application, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon;

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, the Assignor has sold, assigned, transferred, and set over, and by these presents does sell, assign, transfer, and set over, unto the Assignee, its successors, legal representatives, and assigns the entire right, title, and interest in and to the above-mentioned invention(s), the right to file applications on said invention(s) and the entire right, title and interest in and to any applications for Letters Patent of the United States or other countries claiming priority to said applications, and any and all Letters Patent or Patents of the United States of America and all foreign countries that may be granted therefor and thereon, and in and to any and all applications claiming priority to said applications, divisions, continuations, and continuations-in-part of said applications, and reissues and extensions of said Letters Patent or Patents, and all rights under the Paris Convention for the Protection of Industrial Property, the same to be held and enjoyed by the Assignee, for its own use and behalf and the use and behalf of its successors, legal representatives, and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted as fully and entirely as the same would have been held and enjoyed by the Assignor had this sale and assignment not been made;

RECEIVED

FEB 26 2002

Technology Center 2100

Attorney Docket No. ICRU002/01US

Application No.: 09/997,237

Page 2

AND for the same consideration, the Assignor hereby covenants and agrees to and with the Assignee, its successors, legal representatives, and assigns, that, at the time of execution and delivery of these presents, the Assignor is a lawful owner of the entire right, title, and interest in and to the invention(s) set forth in said applications and said applications, including provisional applications, above-mentioned, and that the same are unencumbered, and that the Assignor has good and full right and lawful authority to sell and convey the same in the manner herein set forth;

AND for the same consideration, the Assignor hereby covenants and agrees to and with the Assignee, its successors, legal representatives, and assigns that the Assignor will, whenever counsel of the Assignee, or the counsel of its successors, legal representatives, and assigns, shall advise that any proceeding in connection with said invention(s) or said applications for Letters Patent or Patents, or any proceeding in connection with Letters Patent or Patents for said invention(s) in any country, including interference proceedings, is lawful and desirable, or that any application claiming priority to said application, division, continuation, or continuation-in-part of any applications for Letters Patent or Patents, or any reissue or extension of any Letters Patent or Patents to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent or Patents for said invention(s), without charge to the Assignee, its successors, legal representatives, and assigns, but at the cost and expense of the Assignee, its successors, legal representatives, and assigns;

AND the Assignor hereby authorizes and requests the attorneys of COOLEY GODWARD L.L.P. to insert in the spaces provided above the filing date, application number, the date of execution of the oath or declaration, and attorney docket number of said application when known;

AND the Assignor hereby requests the Commissioner of Patents to issue any and all said Letters Patent of the United States to the Assignee, as the Assignee of said invention(s) and the Letters Patent to be issued thereon for the sole use and behalf of the Assignee, its successors, legal representatives, and assigns.

Date: 1/9/02By:   
Erik Richard SMITHDate: 1/8/02By:   
Paul Alan CONLEYDate: 1/8/02By:   
Vijayakumar DEENCHERRYDate: 1/9/2002By:   
Michael Thomas CORAM